IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICAITON NO. 2015 OF 2005

IN

CIVIL APPLICATION NO. 3129 OF 1995

IN

FIRST APPEAL NO. 451 OF 1995

Bharatibai D. Sanga & Ors. ..Applicants

versus

Maharashtra State Road

Transport Corporation ..Respondents

Mr. R. R. Adep for the Applicants.

Mr. G. S. Hegde for the Respondents.

CORAM : D. G. DESHPANDE,J.

DATE : 4TH MAY, 2005

P.C. :

1. This application is filed by the applicants on the ground that Applicant No.3 Deepa Dattatraya Sanga is to marry on 11.5.2005 as per the copy of the marriage invitation card. She has now attained majority. By the interim order of this Court Rs.75,000/- have been deposited with Bank of Maharashtra, Solapur. Therefore the applicants have filed this application for permission to withdraw the said amount.

2. Mr. Hegde for the respondents contended

that the mother has already withdrawn Rs.1 lac and in case the Respondents herein succeed, there will be no guarantee of their recovering the amount from the applicants herein. Therefore, in this background, counsel for the applicants herein gives an undertaking on behalf of the applicants, particularly on behalf of applicant No.3 Deepa, will bring back the amount withdrawn by her along with interest, in case they fail in the matter.

3. In the circumstances, Manager, Bank of Maharashtra, Solapur, is directed to allow Deepa Dattatraya Sanga or to Applicants to withdraw Rs.50,000/- (Rupees Fifty Thousand only). Balance of the fixed deposits be reinvested. Undertaking given by the counsel for the applicants that in case applicants succeed they will return back the amount, is accepted. Appeal expedited. Appeal adjourned to 2nd week of June 2005.

4. Parties to act on an copy of this order duly authenticated by the Registry.

4.05.2005 (D.G. DESHPANDE, J.)